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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/520,964	03/08/2000	Michele M. Covell	013155063	1643
21912	7590	08/23/2004	EXAMINER	
VAN PELT & YI LLP 10050 N. FOOTHILL BLVD #200 CUPERTINO, CA 95014			AKHAVANNIK, HUSSEIN	
			ART UNIT	PAPER NUMBER
			2621	
DATE MAILED: 08/23/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Election/Restrictions

1. The amendment filed on 6/16/2004 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims (new claims 31-53) are not readable on the elected invention because they are directed towards non-elected species II corresponding to page 4, lines 23-25 of the specification (see the restriction requirement mailed 4/2/2003, now Paper No. 5). The original claims 1-27 were directed towards species I, which was elected without traverse by the Applicant on 6/12/2003 (now Paper No. 6). The Examiner respectfully reminds the Applicant that a RCE is not a continuation or divisional of the instant application, but a request for continued examination of the instant application. In order to pursue the non-elected claims, the Examiner suggests filling a divisional based on the instant application.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein Akhavannik whose telephone number is (703)306-4049. The examiner can normally be reached on M-F 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo H. Boudreau can be reached on (703)305-4706. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hussein Akhavannik
August 17, 2004



BRIAN WERNER
PRIMARY EXAMINER